

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In re Application of:

Joe Teixeira

Application No. 09/772,959

Filed: January 31, 2001

For: SYSTEM AND METHOD FOR SWITCHING DIGITAL SUBSCRIBER LINE
SERVICE

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:
:
:
:
:

Art Unit: 2661

Examiner: TBA

RESPONSE TO "NOTICE TO FILE MISSING PARTS"

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION—
FILING DATE GRANTED** dated April 24, 2001, Applicant submits herewith the following
documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts;
2. Request for Corrected Filing Receipt;
3. Marked-up copy of Filing Receipt;
4. Executed Declaration and Power of Attorney and
5. Statement Claiming Small Entity Status.

The Commissioner is hereby authorized to charge any insufficient fees or credit any
overpayment to Deposit Account No. 19-5127, Order No. 19176.0006.

Respectfully submitted,
Swidler Berlin Shereff Friedman, LLP

Michael A. Schwartz

Michael A. Schwartz
Reg. No. 40,161

Date: May 9, 2001

Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, D. C. 20007
Tel: (202) 424-7500
Fax: (202) 424-7643

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application Number 09/772,959

Filing Date January 31, 2001

First Named Inventor Joe Teixeira

Group Art Unit 2661

Examiner Name TBA

Total Number of Pages in This Submission 8

Attorney Docket Number 19176.0006

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☒ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☒ Statement Claiming Small Entity
Status

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69)
and Accompanying Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)
(please identify below):

copy of Notice to File Missing
Parts; Request for Corrected
Filing Receipt; marked-up copy
of Filing Receipt and Executed
Declaration and POA

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name Michael A. Schwartz, Reg. No. 40,161
Swidler Berlin Shereff Friedman, LLP

Signature

Michael A. Schwartz

Date

May 9, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope
addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

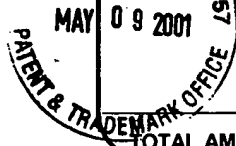
Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any
comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark
Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for
Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT (\$) 564

Complete if Known

Application Number 09/772,959

Filing Date January 31, 2001

First Named Inventor Joe Teixeira

Examiner Name TBA

Group / Art Unit 2661

Attorney Docket No. 19176.0006

METHOD OF PAYMENT (check one)

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

195127, Order #19176.0006

Deposit
Account
Name

Swidler Berlin Shereff Friedman, LLP

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17
-
- ☒
- Applicant claims small entity status.
-
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☒ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 355)

2. EXTRA CLAIM FEES

Total Claims	36	-20**	=	16	X	9	=	144
Independent Claims	3	-3**	=	0	X	40	=	0
Multiple Dependent					X		=	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 144)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 65)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Michael A. Schwartz Registration No. Attorney/Agent 40,161 Telephone 202 424-7500

Signature Michael A. Schwartz Date May 9, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#3

Attorney Docket: 19176.0006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

Joe Teixeira

Application No. 09/772,959

Filed: January 31, 2001

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: Group Art Unit: 2661
:
: Examiner: TBA
:

Titled: SYSTEM AND METHOD FOR SWITCHING DIGITAL SUBSCRIBER LINE SERVICE

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant requests that a Corrected Filing Receipt be issued due to an error on the Filing Receipt mailed April 24, 2001. A copy marked in red ink showing the required correction is attached.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment to Deposit Account No. 19-5127 referencing Order No. 19176.0006 for entry of this paper.

Respectfully submitted,

Swidler Berlin Shereff Friedman, LLP

A handwritten signature in cursive script, reading "Michael A. Schwartz".

Dated: May 9, 2001

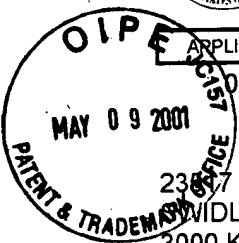
By: Michael A. Schwartz
Registration No.

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7500



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov



APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/772,959 ✓	01/31/2001 ✓	2661	0.00	19176.0006 ✓	15	36	3

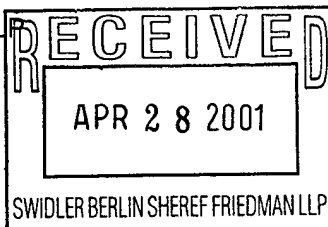
CONFIRMATION NO. 1488

FILING RECEIPT



OC000000006003808

23887
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K STREET, NW
BOX IP
WASHINGTON, DC 20007



Date Mailed: 04/24/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Joe Teixeira, Residence Not Provided;

Quebec, Canada

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 04/24/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No ✓

Early Publication Request: No ✓

Title

System and method for switching digital subscriber line Service

Preliminary Class

370

DOCKETED ^{9dc} 4.29.01

Data entry by : CHRISTIAN, HAIMANOT

Team : OIPE

Date: 04/24/2001



UNITED STATES PATENT AND TRADEMARK OFFICE

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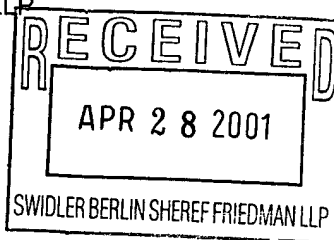
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/772,959	01/31/2001	Joe Teixeira	19176.0006

CONFIRMATION NO. 1488

FORMALITIES LETTER



SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K STREET, NW
BOX 1P
WASHINGTON, DC 20007



Date Mailed: 04/24/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$288.
 ■ \$288 for 16 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1128.**

*A copy of this notice **MUST** be returned with the reply.*

05/10/2001 TGEDAMU1 00000034 195127 09772959

01 FC:201 355.00 CH
02 FC:203 144.00 CH
03 FC:205 144.00 CH

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

DOCKETED

Response Due 6.24.01
Last Day 11.24.01